

12-06-05

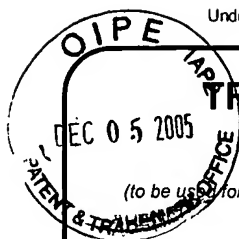
HFW

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/766,392
		Filing Date	January 28, 2004
		First Named Inventor	Gerald Elson, et al.
		Art Unit	3618
		Examiner Name	Christopher Bottorff
Total Number of Pages in This Submission		Attorney Docket Number	GP-302896 (8540R-000043)

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Restriction Requirement Under 35 U.S.C. § 121; and return receipt postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Christopher A. Eusebi	Reg. No.	44,672
Signature					
Date	December 5, 2005				

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Christopher A. Eusebi	Express Mail Label No.	EV 717 344 463 US (12/5/2005)
Signature		Date	December 5, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV 717 344 463 US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/766,392

Filing Date: January 28, 2004

Applicant: Gerald Elson, et al.

Group Art Unit: 3618

Examiner: Christopher Bottorff

Title: FLUID STORAGE FOR FUEL CELL VEHICLES USING
CLOSED SECTION STRUCTURAL BODY RAILS

Attorney Docket: GP-302896 (HDP Ref. 8540R-000043)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121

Sir:

In response to the Restriction Requirement mailed November 3, 2005, Applicant elects with traverse the tank and frame combination according to Figure 1 and the subspecies A, namely the frame assembly of Figure 2. It is Applicants belief that Claims 1-18 and 22-26 relate thereto.

Applicants respectfully traverse the restriction inasmuch as Applicants believe that Claims 1-18 and 22-26 are generic. Applicants directs the Examiner's attention to paragraphs (22) and (23) which show the teachings herein are equally applicable to

longitudinal and transverse beams. As such, Applicants believe that the restrictions between Species I and II is improper and unnecessary.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 8 of this paper.